

## Message Text

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SUBJ: GILSTRUP FOUND GUILTY OF TAX CHARGES - APPEAL PROBABLE

SUMMARY. ON FEB 17, THE DANISH TRIAL COURT FOUND PROGRESS PARTY LEADER MOGENS GLISTRUP GUILTY OF TAX EVASION. THE VERDICT, WHICH GLISTRUP HAS CALLED TANTAMOUNT TO EXONERATION, HAS BEEN GENERALLY CRITICIZED AS TOO MILD. IF HE DOES NOT APPEAL, GLISTRUP MAY BE EXPELLED FROM THE FOLKETING. MANEUVERING ON THIS ISSUE WILL PROBABLY DETERMINE WHEHTER OR NOT THE CASE IS APPEALED. END SUMMARY.

1. THE DANISH MEDIA HAVE GIVEN EXTENSIVE COVERAGE TO THE CONCLUSION OF THE LONGEST TRIAL IN DANISH HISTORY. ON FEB 17 THE COPENHAGEN CITY COURT FOUND PROGRESS PARTY LEADER MOGENS GLISTRUP GUILTY OF VIOLATIONS OF THE TAX LAW AND SENTENCED HIM TO PAY APPROXIMATELY 1.5 MILLION KRONER (ABOUT \$268,000) IN TAX FINES AND ANOTHER 4 MILLION KRONER (ABOUT \$715,000 IN BACK TAXES. THE LIMITED OFFICIAL USE

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COURT RULED THAT HE WAS INNOCENT OF THE MORE SEVERE CHARGES RAISED AGAINST HIM BY THE PROSECUTION, IMPOSED NO PRISON SENTENCE, AND DECLARED THAT HE RETAINED HIS RIGHT TO PRACTICE LAW IN DENMARK.

2. GLISTRUP ACCEPTED THE COURT SENTENCE WITH GLEE, PRONOUNCING IT AN EXONERATION AND CLAIMED THAT THE JUDGES HAD BEEN POLITICALLY MOTIVATED AND THUS COULD NOT LET HIM GO SCOT-FREE, EVEN THOUGH

HE HAD DONE NOTHING TO VIOLATE THE LAW. ASKED WHETHER HE INTENDED TO APPEAL THE VERDICT, HE SAID HE WOULD NEGOTIATE WITH THE SOCIAL DEMOCRATIC PARTY FOR A PROMISE THAT NO STEPS WOULD BE TAKEN BY THE FOLKETING ETHICS COMMITTEE TO DEPRIVE HIM OF HIS RIGHT TO HIS SEAT IN PARLIAMENT. OTHERWISE, GLISTRUP SAID, HE WOULD HAVE TO APPEAL THE SENTENCE, A PROCEDURE WHICH WOULD INVOLVE GREAT COST TO HIMSELF AND THE STATE IN BOTH TIME AND MONEY.

3. THE REACTION TO ALL OF THIS WAS PREDICTABLE. SOCIAL DEMOCRATIC PRIME MINISTER ANKER JORGENSEN, ON THE EVE OF HIS FEB 20 DEPARTURE FOR THE UNITED STATES, DECLARED THAT THE COURT HAD DONE ITS WORK, THAT GLISTRUP HAD BEEN FOUND GUILTY AND THAT HE WOULD HAVE TO TAKE THE CONSEQUENCES. THE CHAIRMAN OF THE FOLKETING ETHICS COMMITTEE STATED THAT A JUDGMENT BY THE COMMITTEE ON GLISTRUP'S ELIGIBILITY TO CONTINUE IN PARLIAMENT COULD BE MADE ONLY AFTER EXPIRATION, ON MAR 3, OF THE PERIOD WITHIN WHICH AN APPEAL MUST BE FILED. SHOULD THE CASE BE APPEALED, THE COMMITTEE WOULD RESERVE ITS JUDGMENT UNTIL THE MATTER IS FINALLY RESOLVED. STATEMENTS BY SOCIAL DEMOCRATIC AND LIBERAL PARTY LEADERS HAVE ALSO MADE IT CLEAR, BARRING AN APPEAL, THAT SHOULD THE ISSUE OF GLISTRUP'S CONTINUING IN PARLIAMENT BE RAISED NOW, HE WOULD BE EXCLUDED.

4. DESPITE THESE STATEMENTS, THE PROGRESS PARTY PARLIAMENTARY GROUP WILL DECIDE THIS WEEK ON THE BEST TACTIC TO USE IN AN EFFORT TO FORCE AN ETHICS COMMITTEE DECISION, PRIOR TO EXPIRATION LIMITED OFFICIAL USE

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OF THE APPEAL PERIOD, WHICH WOULD ASSURE THE CONTINUED PRESENCE OF GLISTRUP IN THE FOLKETING.

5. MOST OF THE WIDESPREAD EDITORIAL AND LEGAL COMMENTARIS ON THE COURT'S JUDGMENT IN THIS CASE AGREE THAT, CONSIDERING THE CHARGES, THE SENTENCE WAS EXTREMELY MILD. IN FACT, THE ATTORNEY GENERAL SAID IT COULD WELL HAVE BROAD NEGATIVE IMPLICATIONS FOR OTHER CASES WHERE IMPRISONMENT FOR TAX EVASION IS DEMANDED.

6. COMMENT: IT IS TOO EARLY TO PREDICT THE EFFECT OF THE DECISION ON THE DANISH VOTER OR TO BE SURE OF THE FOLKETING'S REACTION TO THE PROGRESS PARTY'S PLANNED INITIATIVE TO ASSURE GLISTRUP'S CONTINUED PARTICIPATION IN THAT BODY. IT SEEMS PROBABLE THAT THE PARTY'S TACTIC, WHATEVER IT IS, WILL NOT BE SUCCESSFUL AND GLISTRUP WILL HAVE TO TAKE THE CASE TO THE INTERMEDIATE APPELLATE COURT. IF NOT ACQUITTED THERE, HE PRESUMABLY COULD CARRY IT TO THE DANISH SUPREME COURT. THIS, OF COURSE, MEANS THAT THE GLISTRUP AFFAIR - AND GLISTRUP IN PARLIAMENT - COULD BE AROUND FOR A LONG TIME. END COMMENT.

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